

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KAZENERCOM TOO and YERKIN
BEKTAYEV,

Plaintiffs,

vs.

EMPIRE STOCK TRANSFER, INC.,
Defendant.

2:14-cv-00838-RFB-VCF

**ORDER SCHEDULING A SETTLEMENT
CONFERENCE**

Before the court is Plaintiffs' Motion to Re-Open Discovery Deadline (#32). The court held a hearing on January 14, 2016 and heard representations from the parties. (#36).

At the hearing, the parties stated that they could benefit from a settlement conference with the court before taking the remaining depositions; thus, the request for a settlement conference is granted.

Discovery is closed and will not be re-opened. The parties may take the deposition of the remaining designated witnesses as stated in their stipulation (#37) after the conclusion of the settlement conference, if there are any remaining claims.

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' Motion to Re-Open Discovery Deadline (#32) is DENIED.

IT IS FURTHER ORDERED that any dispositive motions must be filed on or before **May 10, 2016**. The Joint Pre-trial Order must be filed on **June 10, 2016**. In the event dispositive motions are filed, the date for filing the Joint Pre-trial Order will be suspended until 30 days after the decision on the dispositive motions or further order of the Court.

1 IT IS FURTHER ORDERED that a **settlement conference** is hereby scheduled to commence at
2 **10:00 a.m., March 10, 2016**, in the chambers of the undersigned United States Magistrate Judge, Cam
3 Ferenbach, located on the third floor of the Lloyd D. George United States Courthouse, 333 Las Vegas
4 Boulevard South, Ste. 3005, Las Vegas, Nevada. The **confidential settlement statement** is due by noon,
5 **March 3, 2016**.

6 All **principal counsel of record who will be participating in the trial** and who have full authority
7 to settle this case, all parties appearing pro se, if any, and **all individual parties must be present**. In the
8 case of non-individual parties, counsel of record shall arrange for an officer or representative with binding
9 authority to settle this matter up to the full amount of the claim or most recent demand to be present for
10 the duration of the conference.

11 If any party is subject to coverage by an insurance carrier, then a representative of the insurance
12 carrier with authority to settle this matter up to the full amount of the claim or most recent demand must
13 also be present for the duration of the settlement conference. This representative must be the adjuster
14 primarily responsible for the claim or an officer with supervisory authority over that adjuster. Third party
15 administrators do not qualify.

16 A request for an exception to the above attendance requirements must be filed and served at **least**
17 **three weeks prior** to the settlement conference. Counsel of record, individual parties, and a fully
18 authorized representative shall appear in person unless the court enters an order granting a request for
19 exception.

20 **PREPARATION FOR SETTLEMENT CONFERENCE**

21 In preparation for the settlement conference, the attorneys for each party shall submit a
22 confidential settlement conference statement for the Court's in camera review. The settlement conference
23 statement shall contain the following:
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1 1. Identify, by name or status the person(s) with decision-making authority, who, in
2 addition to counsel, will attend the settlement conference as representative(s) of the party, and persons
3 connected with a party opponent (including an insurer representative) whose presence might substantially
4 improve the utility of the settlement conference or the prospects of settlement;

5 2. A brief statement of the nature of the action.

6 3. A concise summary of the evidence that supports your theory of the case, including
7 information which documents your damages claims. Please attach to your statement any documents or
8 exhibits which are relevant to key factual or legal issues, including selected pages from deposition
9 transcripts or responses to other discovery requests.

10 4. An analysis of the key issues involved in the litigation.

11 5. A discussion of the strongest points in your case, both legal and factual, and a frank
12 discussion of the weakest points as well. The Court expects you to present a candid evaluation of the
13 merits of your case.

14 6. A further discussion of the strongest and the weakest points in your opponent's
15 case, but only to the extent that they are more than simply the converse of the weakest and the strongest
16 points in your case.

17 7. The history of settlement discussion, if any, which details the demands and offers
18 which have been made, and the reasons they have been rejected.

19 8. The settlement proposal that you believe would be fair.

20 9. The settlement proposal that you would honestly be willing to make in order to
21 conclude this matter and stop the expense of litigation.

22 The settlement conference statements shall be received in my chambers (U.S. Magistrate Judge
23 Cam Ferenbach, located on the third floor at 333 Las Vegas Boulevard South, Ste. 3005, Las Vegas,
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1 Nevada) - not later than **12:00 p.m., March 3, 2016. DO NOT SERVE A COPY ON OPPOSING**
2 **COUNSEL. DO NOT DELIVER OR MAIL COPIES TO THE CLERK'S OFFICE.**

3 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and
4 conducting the settlement conference. In order to facilitate a meaningful conference, your utmost candor
5 in responding to all of the above-listed questions is required. **The settlement statement will be seen by**
6 **no one except the undersigned.** If this case does not settle, the settlement conference statement will not
7 be disclosed to the judge who ultimately presides over the trial. Each statement will be securely
8 maintained in my chambers, and will be destroyed following the conference.

9 DATED this 19th day of January, 2016.



10 CAM FERENBACH
11 UNITED STATES MAGISTRATE JUDGE
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